

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 712

Introduced by Assembly Member Williams

February 17, 2011

An act to ~~amend Section 14501 of~~ *add Section 14583 to* the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 712, as amended, Williams. Recycling: beverage containers.

The California Beverage Container Recycling and Litter Reduction Act requires a distributor to pay a redemption payment for each beverage container sold or offered for sale to the Department of Resources Recycling and Recovery. *The act requires the Division of Recycling in the Department of Resources Recycling and Recovery, subject to the availability of funds, to expend specified moneys set aside in the California Beverage Container Recycling Fund, for specified purposes relating to the recycling of beverage containers.*

~~This bill would correct an erroneous reference in the legislative findings of the act, notwithstanding the above expenditure requirement, prohibit the department from making any payments, grants, or loans, as provided, to a city, county, or city and county, if the city, county, or city and county has adopted or is enforcing a land-use restriction that prevents the siting or operation of a certified recycling center at a supermarket site, as defined, as may be required pursuant to a specified law.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14583 is added to the Public Resources
2 Code, to read:

3 14583. Notwithstanding Section 14581, the department shall
4 not make any payments, grants, or loans, as provided in that
5 section, to a city, county, or city and county, if the city, county, or
6 city and county has adopted or is enforcing a land-use restriction
7 that prevents the siting or operation of a certified recycling center
8 at a supermarket site, as defined in Section 14526.6, as may be
9 required pursuant to Section 14571.

10 ~~SECTION 1. Section 14501 of the Public Resources Code is~~
11 ~~amended to read:~~

12 ~~14501. The Legislature finds and declares as follows:~~

13 ~~(a) Experience in this state and others demonstrates that financial~~
14 ~~incentives and convenient return systems ensure the efficient and~~
15 ~~large-scale recycling of beverage containers. Accordingly, it is the~~
16 ~~intent of the Legislature to encourage increased, and more~~
17 ~~convenient, beverage container redemption opportunities for all~~
18 ~~consumers. These redemption opportunities shall consist of dealer~~
19 ~~and other shopping center locations, independent and industry~~
20 ~~operated recycling centers, curbside programs, and other recycling~~
21 ~~systems that assure all consumers, in every region of the state, the~~
22 ~~opportunity to return beverage containers conveniently, efficiently,~~
23 ~~and economically.~~

24 ~~(b) California grocery, beer, soft drink, container manufacturing,~~
25 ~~labor, agricultural, consumer, environmental, government, citizen,~~
26 ~~recreational, taxpayer, and recycling groups have joined together~~
27 ~~in calling for an innovative program to generate large-scale~~
28 ~~redemption and recycling of beverage containers.~~

29 ~~(c) This division establishes a beverage container recycling goal~~
30 ~~of 80 percent.~~

31 ~~(d) It is the intent of the Legislature to ensure that every~~
32 ~~container type proves its own recyclability.~~

33 ~~(e) It is the intent of the Legislature to make redemption and~~
34 ~~recycling convenient to consumers, and the Legislature hereby~~
35 ~~urges cities and counties, when exercising their zoning authority,~~
36 ~~to act favorably on the siting of multimaterial recycling centers,~~
37 ~~reverse vending machines, mobile recycling units, or other types~~
38 ~~of recycling opportunities, as necessary for consumer convenience,~~

1 and the overall success of litter abatement and beverage container
2 recycling in the state.

3 (f) The purpose of this division is to create and maintain a
4 marketplace where it is profitable to establish sufficient recycling
5 centers and locations to provide consumers with convenient
6 recycling opportunities through the establishment of minimum
7 refund values and processing fees and, through the proper
8 application of these elements, to enhance the profitability of
9 recycling centers, recycling locations, and other beverage container
10 recycling programs.

11 (g) The responsibility to provide convenient, efficient, and
12 economical redemption opportunities rests jointly with
13 manufacturers, distributors, dealers, recyclers, processors, and the
14 Department of Resources Recycling and Recovery.

15 (h) It is the intent of the Legislature, in enacting this division,
16 that all empty beverage containers redeemed shall be recycled,
17 and that the responsibilities and regulations of the department shall
18 be determined and implemented in a manner that favors the
19 recycling of redeemed containers, as opposed to their disposal.

20 (i) Nothing in this division shall be interpreted as affecting the
21 current business practices of scrap dealers or recycling centers,
22 except that, to the extent they function as a recycling center or
23 processor, they shall do so in accordance with this division.

24 (j) The program established by this division will contribute
25 significantly to the reduction of the beverage container component
26 of litter in this state.